

CONFIDENTIAL – OUTSIDE ATTORNEYS’ EYES ONLY – SOURCE CODE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WI-LAN INC.,)	
)	
Plaintiff,)	
)	10 Civ. 432 (LAK) (AJP)
v.)	
)	
LG ELECTRONICS, INC. and LG)	
ELECTRONICS U.S.A., INC.,)	
)	
Defendants.)	
)	
)	

DECLARATION OF MICHAEL DOLAN

I, Michael Dolan, declare as follows:

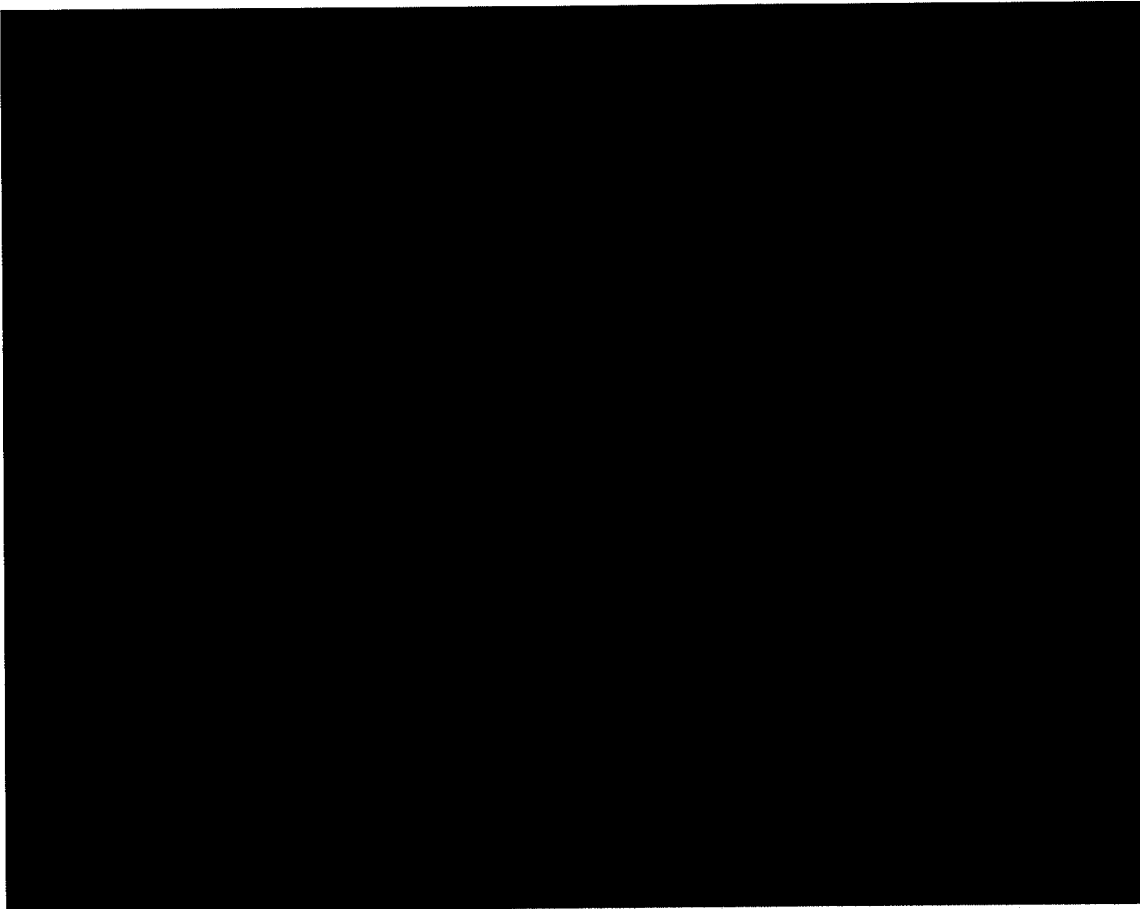
1. I have been retained as a consultant by Plaintiff Wi-LAN Inc. (“Wi-LAN”) in this litigation. The following facts are within my personal knowledge and if called as a witness by the Court, I would be competent to testify to the matters set forth below.
2. In connection with my consulting work for Wi-LAN, I have been asked to review and analyze the operation and functionality of Accused Products, including Accused Non-DTV Products, specifically the manner in which Accused Products receive, store, and process ATSC Transport Streams.
3. Since at least January 1, 2004, U.S. broadcasters have transmitted television signals via ATSC Transport Streams. ATSC Transport Streams include data related to television programming that is transmitted along with audio and video information.
4. ATSC Transport Streams contain multiple tables, transmitted via several data packets, that define certain information related to television programming.

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5. The rating region table, or “RRT,” contains information related to rating schemes in use in a particular geographic region. In the United States, the RRT in use is known as “RRT1.”

6. A new RRT, known as RRT5, was proposed many years ago, but it never has been developed beyond a conceptual stage and never has been broadcast in the United States other than, if at all, in limited experimental testing.

7. A separate table of interest is known as the Event Information Table, or “EIT.” The EIT includes data known as a Content Advisory Descriptor, or “CAD.” The CAD contains the specific rating information for particular programs.



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[REDACTED]

13. It is also necessary to understand the source code related to the processing of RRT1, the EIT, and the CAD, as this data relates to rating information.

14. I first reviewed source code produced by Defendants on September 9-10, 2010.

[REDACTED]

17. I reviewed Defendants’ source code for a second time on September 24, 2010. The source code available at this session was nearly as incomplete as the source code provided on September 9-10, 2010.

18. I reviewed Defendants’ source code for a third time on October 1-2, 2010. The source code provided for this session was different from the source code provided during previous sessions.

[REDACTED]

19. On the afternoon of October 1, an employee of Greenberg Traurig arrived in the

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source code review room with an external hard drive and loaded additional files onto the source code computer. [REDACTED]

[REDACTED]

[REDACTED]

21. I traveled to Seoul, Korea to attend the deposition of LG Electronics, Inc. (“LGE”) regarding technical topics. On the first day of the technical deposition, Defendants produced an additional source code computer. [REDACTED]

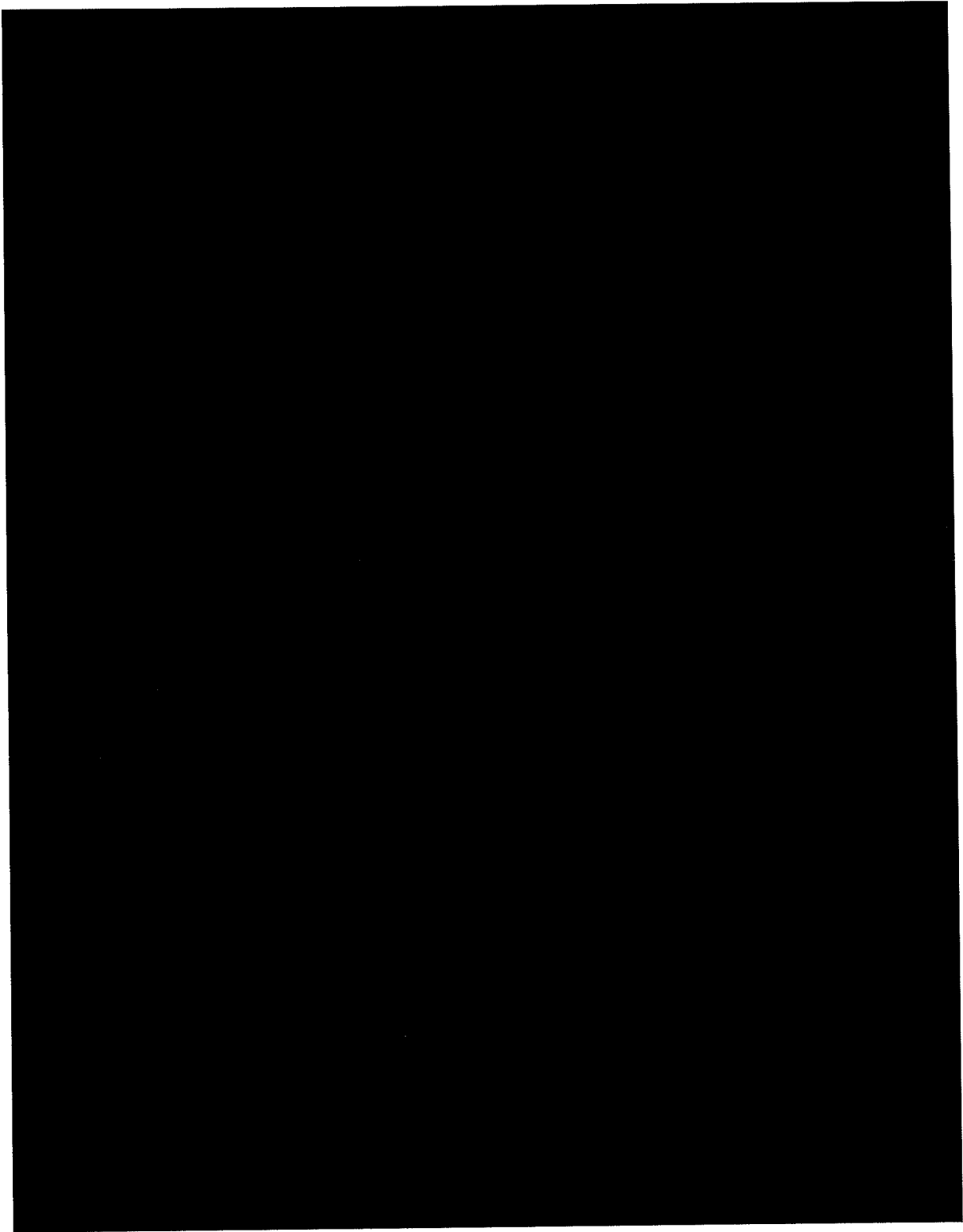
[REDACTED]

This computer did not have the source code viewing tool, Visual Studio, available and used in the prior sessions.

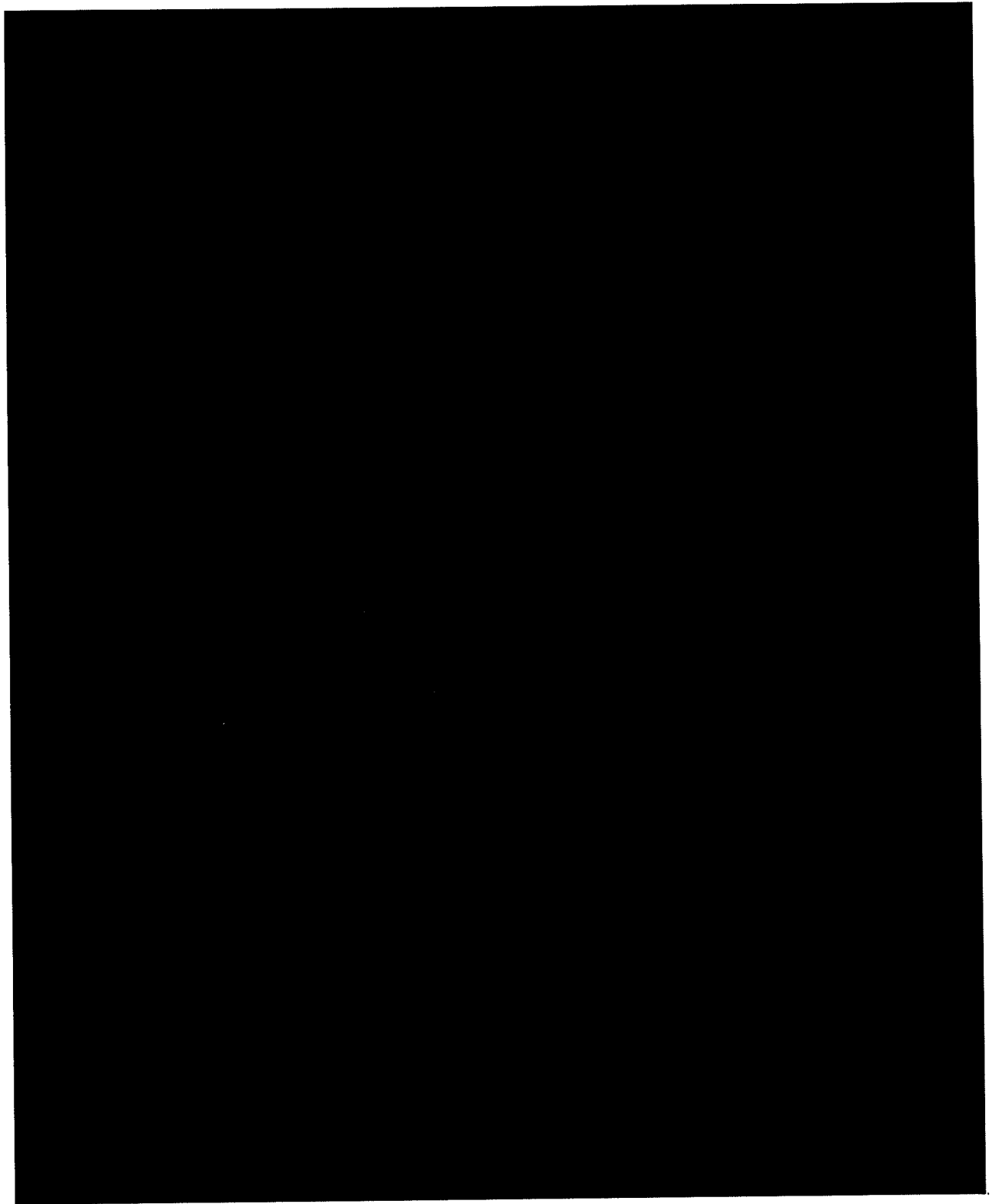
22. I conducted a review of the source code during deposition sessions, but was unable to perform a complete review due to the timing of my travel arrangements, the volume of new source code produced, and the absence of the viewing tool.

[REDACTED]

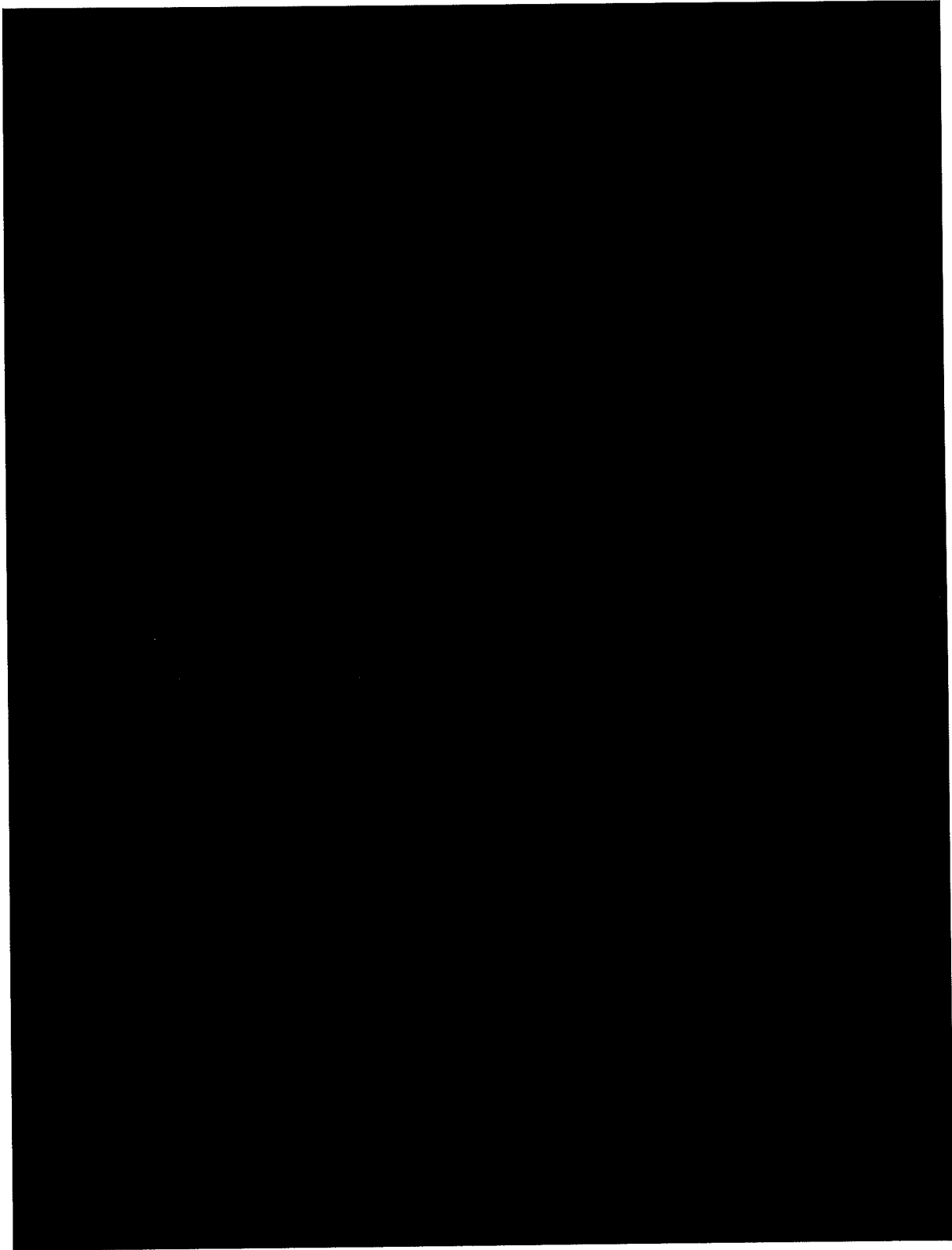
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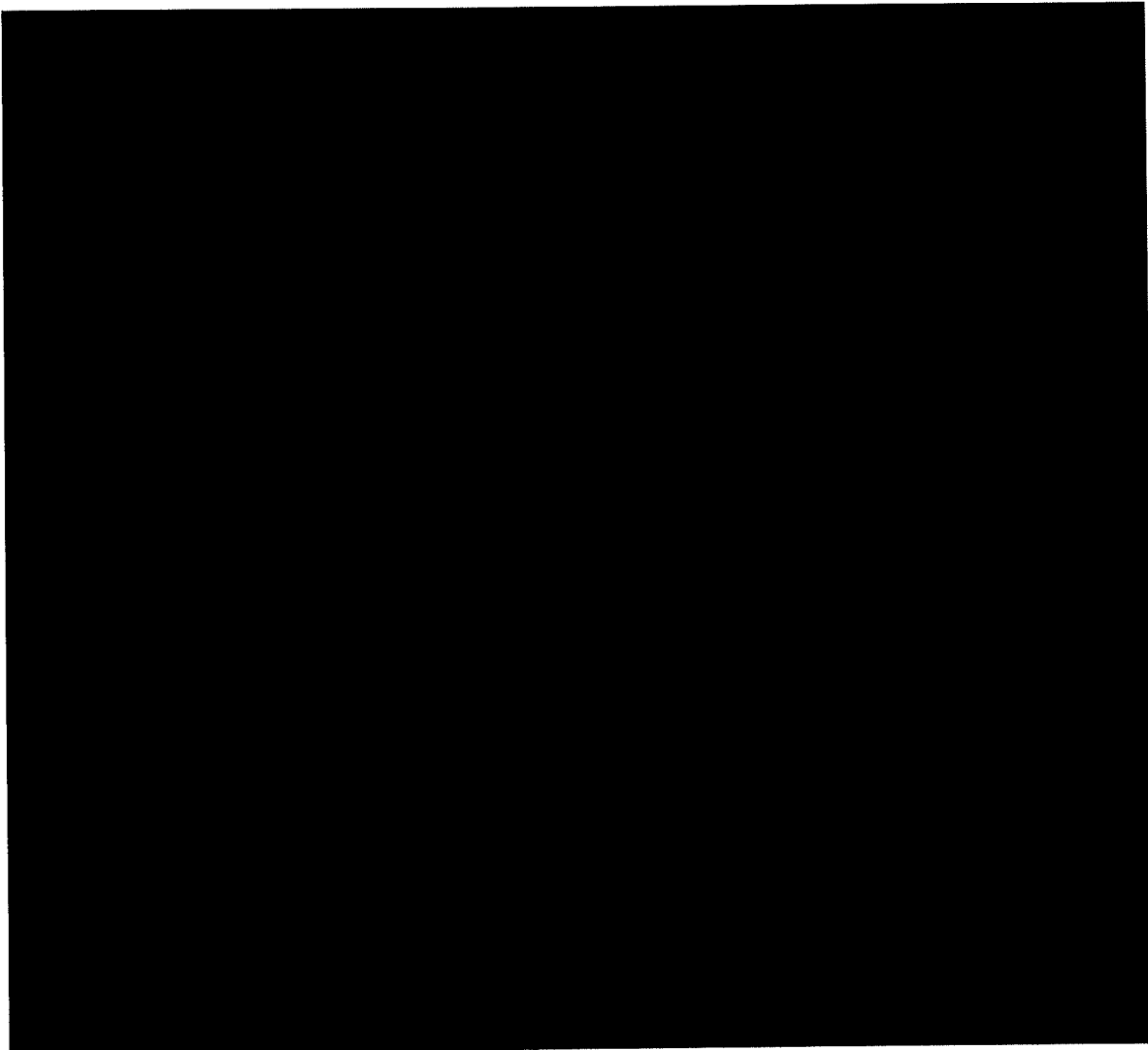
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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 19th day of October, 2010 at San Francisco, California.

**Michael A
Dolan**

Michael A Dolan

Digitally signed by Michael A Dolan
DN: cn=Michael A Dolan, o=TBT, ou,
email=mdolan@newtbt.com, c=US
Date: 2010.10.19 15:50:09 -07'00'

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A handwritten signature in black ink, appearing to read 'Michael A Dolan'.